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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/272,807 03/19/99 BEN-DOR

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EXAMINER

TRAN, M

ART UNIT

PAPER NUMBER

2664

DATE MAILED:

11/06/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/272,807

Applicant(s)

BEN-DOR ET AL

Examiner

MAIKHANH T. TRAN

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11, 12, 30-32, 38 and 39 is/are allowed.
- 6) ☒ Claim(s) 1-10, 13-18, 19-20, 22-29 and 33-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicant's Amendment filed on 08/16/01 has been fully considered and made of record. By this amendment, claims 1, 19, 21, 22, 32 and 33 have been cancelled. Claims 1-39 are now pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-7, 14, 19 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Batz et al (U.S. 5,918,022).

- As to claims 1-5, 14, 19 and 21, Batz et al, in fig. 5 and the description associated with the figure, disclose a system and a method of controlling devices across a network, the system comprising:

- * a network (520) having a host (524) coupled thereto, the host executing software to generate packets for communication on the network;
- * a bus with a bus device (502/504) coupled thereto;
- * an interface (514) coupling the network to the bus, the interface and the host coordinating to tunnel bus events over the network between the host and the bus

device while preserving one or more local bus properties by encapsulating bus events into packets associated with a network protocol and transferring the encapsulated bus events over the network.

Although Batz et al. do not clearly teach the step of subsequently decapsulating the bus events to recreate the bus events at a remote site transparently to a user using information in the header of the packet, this limitation is standard in the art, therefore it is inherent that the teaching in Batz et al encompasses the claimed limitations in claims 1, 19 and 21.

Note that: the term "bus events" is not defined in the claims, thus "bus events" can be considered as packets transmitted on the bus. Besides, the capability or speed of the local bus is always unchanged, therefore the teaching in Batz meets the claimed limitations.

- As to claims 6-7, the claimed limitation is standard in the art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Batz et al (U.S. 5,918,022).

- As to claim 20, Batz et al disclose a method as discussed in claim 19 above. Although Batz et al do not fairly suggest that the remote site comprises a similar bus and similar bus device to that which generated the bus events, it is obvious to ones skilled in the art to set up the remote site with similar bus and similar bus device to that which generated the bus events so that two bus devices belong to two different networks can communicate to each other over a network between said two different networks to enhance the teaching in Batz et al.

5. Claims 8-10, 13, 15-18, 22-29 and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Batz et al (U.S. 5,918,022) as applied to claim 1 above, and further in view of Klein et al (U.S. 6,085,328).

- As to claims 8-9 and 15-18, Batz et al disclose a system as discussed in claim 1 above. Batz et al, however, do not teach that the bus comprises a serial bus (USB) or a parallel bus (IEEE-1394). Klein et al, in col. 4, lines 18-31, teach that IEEE-1394 and USB buses are widely utilized as bus system in communication systems to handle a large number of different connections (USB) at a high data rate (IEEE-1394). Therefore it would have been obvious to one skilled in the art at the time the invention was made to apply the teaching of Klein et al in Batz et al to enhance the service in Batz et al.

- As to claim 10, when tunneling applied for different communications networks, it is a need for identifying packet type (data or control information) and transaction type (protocol network) in the tunneling header. Therefore it would have been obvious to one skilled in the art to apply that method in Batz et al to enhance Batz et al teaching.

- As to claim 13, since the claimed remote peripheral server inside the interface has no specific functions, it can be considered as any element inside the line server in Batz et al.

- As to claim 22, the claim is objected in the same manner as set forth in claims 1 and 17.

- As to claims 23-25, these claims are objected in the same manner as set forth in claims 22, 2, 3, and 5.

- As to claims 26-28, these claims are objected in the same manner as set forth in claims 24, 6, 7 and 8.

- As to claim 29, the claim is objected in the same manner as set forth in claims 22 and 10.

- As to claim 33, the claim is objected in the same manner as set forth in claims 1 and 18.

- As to claims 34-35, these claims are objected in the same manner as set forth in claims 33, and 3.

- As to claims 36-37, these claims are objected in the same manner as set forth in claims 33, 7 and 18.

Allowable Subject Matter

6. Claims 11-12, 30-32 and 38-39 are allowed.

7. The following is an examiner's statement of reasons for allowance:

- The prior art of the record fail to teach limitations recited in these claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Tran whose telephone number is (703) 308-


7911. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Maikhanh Tran

November 5, 2001



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